



U.S. DEPARTMENT of STATE

Uganda

Country Reports on Human Rights Practices - [2003](#)

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Uganda is a republic led by President Yoweri Museveni, who continued to dominate the Government following his reelection to a second 5-year term in March 2001. He has ruled since 1986 through the Movement, an organization that continued to receive state support and function both as a political party and a state institution. Movement supporters remained in firm control of the legislative branch. Election observers believed that the 2001 presidential and parliamentary elections generally reflected the will of the electorate; however, both were marred by serious irregularities, particularly in the period leading up to the elections, such as severe restrictions on political party activities, incidents of violence, voter intimidation, and fraud. A 2000 national referendum on the role of political parties extended the Movement form of government indefinitely and severely restricted political activities. However, a March 21 court decision ruled that two sections of the law preventing political parties from operating while the "Movement System" remained in place were unconstitutional. Other parties, though active in Parliament, have refused to register in protest of the continuing ban on most political party activities. The judiciary generally was independent but remained understaffed and weak; in addition, the President had extensive powers of judicial appointment.

The Uganda People's Defense Force (UPDF) was the key security force, and a civilian served as Minister of Defense. UPDF soldiers and members of Local Defense Units (LDUs) assisted the police in rural areas. The Internal Security Organization (ISO) remained under the direct authority of the President, and was an intelligence-gathering body; however, its operatives occasionally detained civilians. The Chieftancy of Military Intelligence (CMI), under UPDF control, detained civilians suspected of rebel and terrorist activity. The police were organized as a national force under the authority of the Ministry of Internal Affairs. The UPDF continued "Operation Iron Fist" against rebels of the Lord's Resistance Army (LRA) in the northern and eastern and conducted operations against LRA sanctuaries in southern Sudan with the permission of the Sudanese government. To reinforce the Government's efforts, local leaders formed armed militia groups to fight the rebels. In June, the Government withdrew the UPDF from the Democratic Republic of the Congo (DRC) and international peacekeepers were deployed in Bunia and other areas. The country provided the use of its airfields and other logistical support for international peacekeepers; however, there continued to be reports that the Government supported militia activities in the DRC. While civilian authorities maintained effective control of the security forces, there were frequent instances in which elements of the security forces acted independently of government authority. Members of the security forces committed numerous serious human rights abuses.

The country's population was approximately 25.4 million. The economy grew at a rate of approximately 4.9 percent during the year. Agriculture accounted for approximately 40 percent of the total Gross Domestic Product (GDP), and foreign economic assistance accounted for approximately 48 percent of total government expenditures. Foreign investment was approximately 3 percent of GDP. The privatization of state-owned enterprises continued. The Government continued to take steps against corruption.

The Government's human rights record remained poor; although there were some improvements in a few areas, serious problems remained. Domination by the Movement of the political process limited the right of citizens to change their government. Security forces committed unlawful killings. Security forces were responsible for short-term disappearances. Torture by security forces and beating of suspects to force confessions were serious problems. Security forces were responsible for incommunicado detention, and prison conditions remained harsh and life threatening. The Government punished some security force officials who were guilty of abuses; however, impunity remained a problem. Arbitrary arrests and detention, including those of opposition politicians and their supporters, and prolonged pretrial detention were problems. Poor judicial administration, lack of resources, a large case backlog, and lengthy trial delays limited due process rights, including the right to a fair trial. Security forces at times infringed on citizens' privacy rights. The Government at times restricted freedom of speech, the press, and association, and severely restricted freedom of assembly. There were some limits on freedom of religion and movement. Domestic violence against women, rape, and abuse of children, particularly sexual abuse, remained serious problems. Discrimination against women and persons with disabilities remained problems. The Government at times recruited and used child soldiers. The Government worked with nongovernmental organizations (NGOs) to combat the practice of female genital mutilation (FGM), which occurred in some parts of the country. There continued to be limits on worker rights. Forced labor, including by children, occurred and child labor was common, mostly in the informal sector. There were reports of trafficking in persons. Vigilante justice remained a problem.

The LRA, led by Joseph Kony, committed numerous, serious abuses and atrocities. The LRA increased attacks in the northern and eastern parts of the country, and rebels routinely abducted, tortured, and killed civilians, including children. The LRA used children as soldiers, held children and others in slave-like conditions, and subjected female captives to rape and other forms of severe sexual exploitation during the year.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There continued to be unconfirmed reports of politically motivated killings by government forces, and members of security forces committed unlawful killings during the year.

During the year, the Government executed persons after denying them basic rights of due process. On March 3, the army executed by firing squad three UPDF soldiers. The military court martial found Private Richard Wigiri guilty of murdering Monica Achiro in December 2002, and a military court martial near Kitgum found the other two soldiers, Privates Kambacho Ssenyonjo and Alfred Okech, guilty of the January 4 killing of three civilians. The defendants reportedly did not have access to legal representation, and the execution was carried out approximately an hour after the sentences were passed.

According to Human Rights Watch, in late August, the Joint Anti-Terrorism Task Force (JATF) arrested Ismael Muviru, Mutwabil Walakira, Captain Sewamuwa Daudi, and another man whose name was not known, in Kampala and detained them without charge in Katikamu subcounty, Luwero District. On September 1, the CMI reportedly executed the men in Katikamu subcounty, Luwero District; there were no reports that the men were tried.

During the year, the UPDF conducted an investigation into accusations that the March 2002 execution of two UPDF soldiers was unconstitutional; the two soldiers were convicted in 2002 by a military court-martial for killing a priest, his cook, and his driver. The investigation found that the UPDF's execution of the two soldiers, which occurred 2 hours after the verdict's delivery and without granting the soldiers the right of appeal, was carried out according to the law. The father of one of the soldiers subsequently filed a case with the Uganda Human Rights Commission (UHRC) and claimed the execution was carried out for political reasons; the case remained pending at year's end.

During the year, there were credible reports that persons died as a result of torture by security forces. For example, in February, civilian John Binge died in custody after operatives of the Violent Crimes Crack Unit (VCCU) in Kampala allegedly tortured him. By year's end, no action had been taken in Binge's case.

On June 19, relatives of Nsangi Murisidi of Kampala and Amnesty International (AI) accused the VCCU of killing Murisidi after his arrest in Kampala by VCCU operatives on June 14. Following the arrest, Murisidi's family was denied access to him. On June 18, VCCU officers in Kireka provided a lawyer a death certificate that stated the causes of death were extensive loss of fluid and blood, severe bleeding in the brain, and extensive burns on the buttocks. By year's end, no action had been taken in Murisidi's case.

On August 6, the UHRC Tribunal in Kampala awarded Edward Wesonga, Member of Parliament (M.P.) for Bubulo East County, approximately \$16,500 (33 million shillings) as compensation for the death of his relative, Patrick Pongo, who died under mysterious circumstances while in a Tororo District police cell in 1998.

On September 1, the court in Gulu sentenced to death Kakira Prison warden Absolom Omolo Owiny for the December 2001 murder of Michael Wanok after the court determined that Owiny had tortured Wanok to death.

There were no developments in the case of Patrick Owomigisha Mamenero, who died in CMI custody in July 2002, allegedly due to torture with a blunt instrument or the case of a juvenile who died after inmates beat him in custody in Mbarara District in June 2002.

There were reports that police use of excessive force while dispersing gatherings resulted in deaths (see Section 2.b.).

During the year, members of the security forces continued to commit other unlawful killings. For example, on February 7, members of the Special Revenue Protection Services (SRPS) shot and killed a Congolese citizen, Rose Masika, at Lubirha Market near the border post of Mpondwe; she was reportedly killed in crossfire between SRPS officers and a robbery suspect. On February 15, Musa Ecweru, the Kasese resident district commissioner, apologized for Masika's death and announced that the Government would pay approximately \$500 (1 million shillings) in compensation. At year's end, no payment had been made, and no action had been taken against members of the SRPS responsible for the killing.

On February 14, a UPDF soldier identified only as Lumumba allegedly strangled a civilian to death, reportedly in a personal dispute, at an army detachment at Alwal in Kilak County, Gulu District. M.P. Michael Ochula confirmed the killing, but the Government failed to take action against the soldier by year's end.

On May 1, UPDF soldiers killed Esther Angeyo, reportedly in an accidental shooting, outside the Pabbo Internally Displaced Persons (IDP) camp. In May, the Government announced that it would compensate Angeyo's husband, Mzee Nyero Santo Akol, for the death of his wife. At year's end, no payment had been made, and no action had been taken against the UPDF soldiers responsible for the killing.

On May 8, police in Kanungu District killed Joel Kamanyire, a head prefect of St. Augustine School, while trying to stop a students' riot. At year's end, two police constables reportedly had been arrested and an investigation was pending.

On July 11, police killed a student at Kitgum High School while trying to disperse rioting students. At year's end, there no action had been taken against the police officers responsible for the killing.

On August 4, police in Kiboga District killed a civilian and injured two others during a mission to evict 1,800 persons from disputed land that they were reportedly occupying illegally. During the year, there were no reports of action taken against the police officers responsible for the killing.

According to the Catholic Justice and Peace Commission (CJPC), on October 10, a UPDF soldier in Pader District in Gulu, arrested two mothers, raped one of them, and killed the other when she refused to have sex with him. The Commission also reported that on October 23, a UPDF soldier in Gulu District shot the driver of a vehicle that had just been involved in an accident; three other UPDF soldiers had died in the accident.

Unlike in the previous year, there were no reports that bystanders were killed as a result of "Operation Wembley," a 2002 anti-violent crime operation.

On September 17, the High Court in Kampala sentenced to death a police constable, Martin Oyat, for the murder of Makerere University student George Babigumira in July 2001.

There were no developments in the April 2002 killing of two farm workers in Sembabule District by the bodyguard of Lieutenant General David Tinyeftuza.

There were no developments in the case of the LDU officer arrested in May 2002, and charged with the murder of a 5-year-old child who was killed in the cross-fire between security personnel and thieves in Mukono District or the 2002 killing case of Peter Oloya, who allegedly tried to disarm a UPDF soldier during a prison transfer.

By year's end, there was no action taken against members of security forces responsible for campaign-related killings in 2001, including during interventions in clashes between supporters of different political candidates in various districts and counties, including Rukungiri District and Pabbo IDP camp in Kilak County, and other locations. There was no further action taken against unknown persons responsible for killings prior to the 2001 presidential election.

There were no developments in the following 2001 cases: The April shooting by LDU members of two persons and the injuring of another in Kabarole District, the August killing of Annet Nakimuli by a police constable during an eviction in Kampala, the killing of a woman and injuring of 14 persons by UPDF soldiers in an IDP camp in Kilak County, Gulu District.

During the year, security forces killed numerous civilians during conflict involving the LRA. For example, in February, UPDF soldiers reportedly shot and killed a Sudanese national in an ambush intended for LRA rebels at the Pabbo IDP Camp. At year's end, no action had been taken against the soldiers responsible for the killing.

On July 24, UPDF helicopter gunships killed 13 civilians in Pader District. In a similar incident on July 22, nine persons were killed in Obalang, Katakwi District. In July, the army mistook five civilians for LRA rebels, killing three and injuring two in Lira District. Although the Government instituted investigations into the three incidents, findings were not released by year's end, and no action had been taken against the UPDF soldiers responsible for the killings.

There was no action taken against UPDF soldiers responsible for the following 2002 killings: The August killing of two civilians by a helicopter gunship in Lira District, the September killing of Emmanuel Onencan who was mistaken for a rebel, the October killing in combat with LRA forces of a village official in Omoro County, Gulu District, and the killing of one person in the crossfire between UPDF troops and Allied Democratic Front (ADF) rebels in May 2002.

There were no reports of further developments in 2001 cases in which security forces were responsible for civilian deaths during confrontations with the LRA.

During the year, there were reports that UPDF members were responsible for killings and other abuses in the DRC. Both before and after the UPDF's withdrawal in June, there were numerous massacres and incidents of extreme violence during the ongoing conflict between various ethnic groups and their associated militias. Some of the worst abuses occurred in parts of northeastern DRC that were under UPDF control or influence. There were credible reports that some of these militias received arms and other support from the UPDF. Militia fighting resulted in the deaths of hundreds of civilians from the DRC. Independent

observers often found access difficult due to hazardous security conditions and frequent impediments imposed by authorities.

In early March, approximately 30 civilians were killed in the DRC during a fight for control of Bunia between the UPDF and rebels of the Union of Congolese Patriots.

In July, the International Committee of the Red Cross (ICRC) rejected an August 2002 UPDF report of investigations into the 2001 killings of six relief workers in the Ituri District, DRC. In a communication to the army, ICRC said none of the UPDF responses provided convincing evidence of how the six staff members were killed. The organization demanded another thorough investigation into the killings. ICRC field operations remained suspended in Bunia, but ICRC staff were active in other parts of eastern DRC.

There were no developments in the cases of killings committed by unidentified assailants prior to the 2001 election.

LRA attacks increased significantly during the year, resulting in numerous atrocities. There were numerous LRA attacks on villages, and internally displaced person (IDP) camps in which persons were killed, injured, raped, mutilated, or abducted (see Sections 1.b., 2.d., and 5). During the year, LRA attacks resulted in the deaths of approximately 3,000 persons, including children; numerous injuries; and the destruction of homes and property. For example, on August 23, LRA rebels killed 50 civilians and burned down a primary school in Akeriau village in Katakwi District.

On September 1, LRA rebels killed 25 civilians when they ambushed a bus in Katine Sub-County, Soroti District.

On November 6, LRA rebels killed approximately 60 civilians, reportedly beheading some and burning or hacking to death others, and burned several thatched huts in the villages of Awayopiny, Alanyi, and Omarari, in Lira District.

No action was against LRA rebels who were responsible for numerous killings in 2002 and 2001.

During the year, the LRA increased its use of landmines, and there continued to be deaths and injuries resulting from LRA-laid landmines. For example, on August 1, one woman died and an unspecified number of civilians were injured in a landmine blast near the Amaseniko IDP camp in Katakwi District during an LRA attack. On October 30, 3 persons, including a UPDF soldier, died when a truck carrying 30 passengers in Katakwi District hit a landmine allegedly placed by the LRA. Between January and June, the UPDF disposed of 120 landmines allegedly placed by the LRA.

Armed cattle rustlers of the Karamojong ethnic group, pastoralists with a long tradition of raiding cattle, conducted raids during the year in Katakwi, Kotido, Kumi, Nakapiripirit, Moroto, Kaberamaido, Pader, Lira, and Kapchorwa Districts in the northeast. These raids resulted in more than 1,800 deaths, including the deaths of relief workers, and the displacement of 30,000 persons. For example, on May 30, Karamojong warriors killed World Vision Coordinator Davis Chelangat along Moroto-Nakapiripirit Road. In an effort to stop the killing of civilians by Karamojong warriors, the Government continued its Karamoja disarmament program (see Section 5). UPDF forces killed numerous persons during clashes with armed Karamojong warriors during the year.

There were no developments in the case of an August 2002 bombing incident or the 2001 series of urban bombings.

Incidents of vigilante justice were reported frequently during the year. There were numerous instances in which mobs beat, stoned, or burned to death individuals suspected of petty theft, witchcraft, or infidelity. For example, on June 15, two suspected thieves were burned to death by angry residents of Busooti in Mbale District.

During the year, authorities prosecuted persons who engaged in mob violence. For example, in August, a judge in Masaka sentenced three men to death after convicting them of the May 2001 murder of Benon Mmaali through mob justice in Sembabule District. In August, the Court of Appeal in Kampala sentenced to death two men who killed a robbery suspect in 1999 in Pallisa District.

There were a few reports of ritual killings of children during the year (see Section 5).

During the year, ethnic Pokot warriors from Kenya killed more than 60 civilians.

b. Disappearance

There were no confirmed reports of politically motivated disappearances due to action by government forces; however, there continued to be some reported cases of disappearances during the year. In most cases, the person reported as disappeared was found after several days of incommunicado detention in the custody of police or security forces (see Section 1.d.).

Around January 2, former Makerere University guild president Peter Ojur reportedly disappeared while returning to the country from Kenya. In late December 2002, Ojur had left the country with his wife on the way to Nairobi; he supposedly left Nairobi for Uganda on January 2. On March 19, UPC chairman Dr. James Rwanyarare claimed that security services members had

detained Ojur and that they might have killed him. However, family members claimed that security operatives had sought Ojur on several occasions to no avail, including after he had already disappeared. Police and army spokespersons denied having arrested or taken him into custody. His whereabouts were unknown at year's end.

There were no developments in the 2001 disappearance of Ahmed Mugere and Richard Mutebi, two supporters of opposition leader Kizza Besigye.

UNICEF reported that as many as 38,000 children and adults have been abducted since 1986 by rebel groups. Approximately 20,000 of the abductees were children taken by the LRA, and 20 percent of the adults were female.

During the year, the LRA significantly increased its abductions of civilians for training as guerrillas and as sex slaves, cooks, and porters; most victims were children and young adults. The LRA abducted an estimated 6,800 children and young girls between January and June (see Section 5). Some of these children escaped, were released, or were rescued during the year.

For example, on May 11, the LRA abducted 44 students from Sacred Heart Seminary in Gulu District. The rebels reportedly killed four students, and the UPDF rescued five. The whereabouts of the remaining students was unknown. On May 20, LRA rebels abducted 30 persons from Alebtong in Moroto and Otuoke counties in Lira District. On June 23, LRA rebels abducted 56 students from Lwala Secondary School in Katakwi District. The UPDF rescued 23, and 33 remained missing.

No further information was available on several persons abducted by rebels along with two elderly Italian priests in September 2002.

Unlike in previous years, there were no reports that the ADF abducted civilians.

The UPDF's Child Protection Unit continued to provide special treatment to rescued abductees upon arrival to military facilities. It also escorted them to NGO facilities, which provided physical assistance and counseling to the children and their families. The Government also worked closely with NGOs in the north to facilitate their assistance programs for amnesty seekers and rescued children; however, these programs were primarily financed by donors. The Amnesty Commission provided orientation and training to the country's embassies in Sudan and Kenya to better assist applicants, including former abducted child soldiers, enter into the amnesty program.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, there were widespread and credible reports throughout the country that security forces tortured and beat suspects in unregistered detention facilities to force confessions. The Uganda Human Rights Commission (UHRC) Tribunal confirmed several such allegations and ordered the Government to compensate the victims. In addition, there were many credible reports of torture committed by security forces, particularly the VCCU, which took over the functions of the 2002 anti-violent crime operation codenamed "Operation Wembley"; on occasion, the practice of torture resulted in death (see Section 1.a.). In March, the Reform Agenda (RA), an opposition political pressure group, called for a commission of inquiry into the alleged torture of political detainees. A commission appointed during the year found that security forces had not committed torture.

On May 28, the police reportedly tortured Bumali Mubiru. In June, a local human rights organization petitioned the Inspector General of Police, Major General Katumba Wamala, to order VCCU to stop torturing suspects in Mbale District and cited the case of Mubiru. By year's end, no action had been taken.

In September, the RA accused the VCCU of torturing Sam Okiring, the group's coordinator in Pallisa District. Okiring was allegedly beaten and denied food for several days following his arrest on August 15. By year's end, there was no investigation by the authorities.

Several persons claimed to have been tortured or beaten while in custody. There continued to be reports during the year that members of the LDUs, who frequently lacked training, mistreated prisoners and detainees; however, there were fewer reports than in the previous year.

In February, inmates in Kigo Prison complained to M.P.s that security forces were torturing them through the use of snakes and crocodiles. An inspection tour of the prison by foreign officials found that several prisoners showed a variety of scars. The prisoners bearing scars claimed they had been severely beaten by the Internal Security Organization in unregistered detention facilities known as "safe-houses." Following widespread public outcry and an exchange of accusations, the Parliamentary Subcommittee on Defense and Internal Affairs presented a report exonerating security forces of torture charges; however, several members of the subcommittee disputed the validity of the report. On July 16, the UHRC acting chairperson Joel Omara testified before the Legal and Parliamentary Affairs Committee that several persons in Kigo Prison had been tortured by security organizations and that CMI personnel were being used to illegally arrest and torture persons to encourage them to pay their financial debts.

Police and security forces at times harassed and detained opposition activists and journalists (see Sections 1.d. and 2.a.).

Unlike in the previous year, there were no reports that UPDF soldiers tortured persons in protected villages, IDP camps, and refugee camps.

There were reports that UPDF soldiers raped persons in protected villages and IDP camps. In addition, in districts affected by the LRA, there were allegations that security forces failed to provide adequate protection for "night commuter" women and girls traveling nightly from outlying camps and villages to seek safety from the LRA in urban centers. There were several reported rapes and assaults by unidentified assailants committed against these young girls. According to one NGO, rapes committed against the night commuters had become so common that some parents sought cash payments from the perpetrators, thereby making the assault public knowledge.

The Government investigated some cases of abuse by security forces, and tried and punished some offenders (see Section 1.a.).

The UHRC Tribunal awarded compensation to several persons who had been abused by police. For example, on February 26, the UHRC Tribunal awarded approximately \$28,500 (59 million shillings) to Stephen Gidudu as compensation for 3 months of torture following his wrongful arrest by UPDF soldiers in Mbale District in 1997.

On April 3, the UHRC Tribunal ordered the Government to pay approximately \$11,000 (22 million shillings) to Bell Otto Opira for violation of his personal liberty and torture over a 43-day period following his arrest by UPDF soldiers in Gulu in April 2001.

On April 11, the UHRC Tribunal awarded approximately \$15,000 (30 million shillings) to Christopher Sajjabbi Nsereko after finding that torture by police caused him hearing loss and impotence following his arrest for unknown reasons in 1997.

On June 25, the UHRC Tribunal ordered the Government to pay approximately \$9,500 (19 million shilling) to British citizen Mahmood Hassouna after security agents wrongfully arrested and beat him on several occasions in 2002.

However, the Government failed to prosecute some persons who had allegedly committed abuses. There were no further developments in the March 2002 beating of civilians by UPDF soldiers in Achowa sub-country, the May 2002 assault of Esther Angela and Grace Aleper in Karamoja; and the August 2002 torture of a student by Lieutenant Julius Mwali.

There was no action taken against the UPDF soldiers and unidentified persons responsible for campaign-related abuses committed in 2001.

During the year, reports that security forces committed violations of humanitarian law decreased in the west, but remained a problem in the north due to the upsurge in LRA activity and government efforts to disarm the Karamojong in the northeast. The number of reported abuses against civilians by the Government increased during the year as a result of increased activities and abductions by the LRA. Civilians were frequently injured during fights between UPDF forces and rebels (see Section 1.a.).

LRA attacks on private homes, schools, churches, and IDP camps increased during the year, as did the LRA's use of landmines, and the LRA committed numerous atrocities. The LRA continued to abduct children and force them into virtual slavery (see Section 5).

There were numerous instances in which mobs attacked suspected thieves and other persons known or suspected to have committed crimes (see Section 1.a.). Motivated in part by distrust or misunderstanding of the formal judicial system, these mobs engaged in stonings, beatings, and other forms of mistreatment. Such mistreatment included tying suspects' wrists and ankles together behind their backs, stripping suspects of their clothes and parading them through the streets, and other forms of torture and inhuman or degrading treatment.

Prison conditions remained harsh and life threatening, primarily as a result of the Government's severely inadequate funding of prison facilities. In addition, there were several reports that security forces and guards tortured inmates. Prison conditions came closest to meeting international standards in Kampala, where prisons provided medical care, running water, and sanitation; however, these prisons also were among the most overcrowded. There were an estimated 18,100 inmates in the country's prisons and police cells. By one estimate, the country's prisons held approximately three times their planned capacity. The central prison system continued to work with NGOs and the donor community to improve prison buildings, water and sanitation systems, food, and the provision of uniforms; however, progress was minimal during the year. Although the law provides for access to prisoners by their families, ignorance of this right and fear of prison authorities often limited family visits. Prisoners held on charges of treason complained that security officers kept files on and harassed their visitors. The UHRC reported that it received allegations that officers in charge of police cells sometimes demanded bribes to allow visits.

In January, over 150 prisoners rioted in Butuntumala Prison in Luweero, complaining of poor diet and harsh punishments. In March, inmates of Kirinya Prison in Jinja rioted, complaining that they had been held for too long on remand. The prisoners demanded to be charged or released. In April, prisoners rioted in Mbale prison complaining that their one daily ration of corn meal was insufficient.

Inmates at most prisons grew maize, millet, and vegetables; however, the UHRC accused prison farms of overworking inmates

(see Section 6.c.).

The Community Service Act reduces prison congestion by allowing minor offenders to do community service instead of being imprisoned. Since November 2001, 1,435 offenders have been sentenced to community service in the pilot districts of Mukono, Mpigi, Masaka, and Masindi.

Female prisoners were held in segregated wings with female staff in most prisons. According to human rights advocates, rape generally was not a problem, although female prisoners also suffered from severely substandard conditions. A project funded by a foreign government constructed 10 new prison houses for females this year. Due to lack of space in juvenile facilities, juveniles often were held in prisons with adults. The central prison system maintained one juvenile prison and four remand homes. School facilities and health clinics in all five juvenile institutions were defunct; prisoners as young as age 12 performed manual labor from dawn until dusk. Severe overcrowding also was a problem at juvenile detention facilities and in women's wings. The remand home in Kampala, designed for 45 inmates, held more than 80 children. In Kampala jails, pretrial detainees were kept separate from convicted prisoners; however, in the rest of the country, due to financial constraints, pretrial detainees and convicted prisoners sometimes were held together.

There were a number of deaths in custody, some due to torture (see Section 1.a.). Both civilian and military prisons were believed to have high mortality rates from overcrowding, malnutrition, diseases spread by unsanitary conditions, HIV/AIDS, and lack of medical care; however, accurate estimates were unavailable. According to the Prisons Department, 286 inmates died in custody between January and October. Approximately 60 percent of these deaths were due to HIV/AIDS-related diseases. During the year, government agencies sponsored or participated in several conferences on the judicial system and prison conditions, and worked closely with international and domestic human rights organizations on prison reform efforts.

During the year, the Government permitted access to prisons by foreign diplomats, the ICRC, and local NGOs, principally the Foundation for Human Rights Initiative (FHRI) and the Uganda Prisoners' Aid Foundation. The UHRC visited numerous prisons and reported on its findings publicly; however, during the year, the UHRC complained that it was not given access to UPDF detention facilities. Prison authorities required advance notification of visits, a process that often was subject to administrative delays.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits such practices; however, members of the security forces arrested and detained citizens arbitrarily.

The police force is widely perceived to be ineffective both in urban and rural areas. Major constraints included lack of vehicles, equipment, and training, and low pay. Police committed numerous abuses, and impunity was a problem. During the year, Government and international donors provided a variety of different training programs to the police. There were also significant anti-corruption efforts, resulting in the dismissal of some local police officials.

LDUs operated principally in rural areas. Such forces consisted entirely of volunteers and were authorized to carry arms. Their principal purpose was to provide defense to populations affected by rebellions. However, in some cases, they also participated in offensive military operations and carried out police functions. The structure and legal mandate of LDUs were often unclear. Some LDUs committed abuses during the year, including killings and the recruitment and use of child soldiers.

By September, the Police Human Rights Desk had received 368 complaints concerning abuses allegedly committed during the year; 276 had been resolved but resulted in no prosecutions, and 92 were pending investigations.

In conjunction with the UHRC, the police continued a training program to educate officers on internationally recognized human rights standards. The UHRC and NGOs conducted similar programs with UPDF officials during the year. In addition, the police, UPDF, and the Prisons Department used a human rights manual in their training programs. The UPDF made attempts to improve relations between soldiers and civilians.

Under the Constitution, search warrants issued by competent judges or prosecutors are required to make an arrest; however, in practice, suspects often were taken into custody without warrants. A suspect must be charged within 48 hours of arrest and be brought to trial or released on bail within 120 days (360 days for a capital offense). Suspects must have access to a lawyer; however, there was no provision for family visitation. The Constitution provides for bail in all but capital cases and cases of treason. If the case is presented to the court before the expiration of this period, there is no limit pretrial detention. Detainees must be informed immediately of the reasons for their detention; however, in practice the authorities sometimes did not enforce these procedural protections. The Anti-Terrorism Act permits suspects to be held for more than 48 hours without charge, repeals section 28 of the Penal Code that limits the definition of terrorism to illegal possession of firearms, and requires the death penalty for all convicted terrorists.

Several persons were detained under the Anti-Terrorism Act during the year. For example, in March, the General Court Martial charged policeman Benson Ikonyat with terrorism. He was allegedly found with army uniforms and guns at Amusu village in Kumi District in December 2002. The suspect denied the charge and was remanded to custody. It was not known whether he remained in detention at year's end.

On May 29, the General Court Martial charged a UPDF soldier, Corporal Patrick Olupot, and three civilians, Okello Luka, Hussein Emuut Alias Odong, and Umaru Okello, with terrorism. They were allegedly found with bullets, hand grenades, and five machine guns in Mulera, Kumi District, in August 2002. They were remanded after they denied the charge. It was not known whether they remained in detention at year's end.

Arbitrary arrest, including mass arrests known as "panda gari," remained a problem, and police at times harassed and detained opposition activists (see Section 2.b.). During the year, there were many reports of arbitrary detention; however, few were reported to human rights groups or verified independently.

On January 8, security forces arrested RA supporter Dan Magarura without a warrant at his home in Kampala. He remained missing for 12 days and was reportedly held in incommunicado detention. On January 21, he was charged in court with treason. It was not known if he had been released by year's end.

On January 12, security officials arrested Pascal Gakyaro, a supporter of the RA and former supporter of exiled former presidential candidate Besigye. On January 20, after the intervention of M.P. Issa Kikungwe and a High Court order to produce the civil servant, Gakyaro was presented by the Inspector General of Police before the High Court. At year's end, he was being held in Kigo Prison outside Kampala while the State considered charges of treason against him.

On May 2, security agents in Kabale arrested Patrick Biryomumaisho Kirasha and four others accused of recruiting persons for the People's Redemption Army (PRA) rebel group. They were taken to an unknown location in Kampala. At year's end, they remained in detention.

On July 4, UPDF soldiers arrested Gulu State's Attorney Sydney Asubo for having allowed the release of a suspected LRA collaborator. Asubo was later released after being detained at UPDF barracks in Gulu. The Director of Public Prosecution petitioned the UPDF to take action against the UPDF officer who ordered the illegal arrest; however, no action had been taken at year's end.

According to Human Rights Watch (HRW), in August, the JATF in Kampala detained 14 men, and 4 of the men were executed (see Section 1.a.). At year's end, the other 10 men reportedly continued to be held without charge at unofficial detention centers in Kampala.

Police at times detained journalists (see Section 2.a.).

Mass arrests remained a problem. For example, in early March, VCCU operatives arrested 270 suspected criminals in raids throughout Kampala; it was not clear on what evidence the persons were arrested. Half of them were released after a 2-day screening while more than 100 continued to be held without charge at year's end. On March 9, security agents arrested 120 persons in Mbale to screen them for criminal charges and free those against whom no charges could be filed; it was not known how many, if any, remained in detention at year's end. On March 31, UPDF soldiers arrested 100 civilians and 96 UPDF soldiers in Gulu in a sweep that targeted tax defaulters, suspected thugs, and UPDF soldiers engaged in illegal or unauthorized activities; it was not known how many, if any, remained in detention at year's end.

There were fewer reports during the year that LDU members arbitrarily arrested citizens.

On January 13, a Kampala court acquitted Winnie Byanyima, M.P. for Mbarara Municipality and wife of opposition leader Besigye, of the 2001 charges of unlawful possession of a firearm.

On February 14, the High Court ordered the Attorney General to pay approximately \$115,000 (230 million shillings) to 21 persons arbitrarily arrested in September 2002, and detained by UPDF soldiers in the northern part of the country.

On March 17, Frank Byaruhanga was released from prison following a recommendation from the Amnesty Commission, a government body; he had been arrested on charges of treason in 2001.

There were no developments in the April 2002 civil lawsuit against the Attorney General for the illegal detention of former Besigye campaign manager Bob Kabushenga in January 2002; the September 2002 case of the 14 opposition youths charged with treason in Gulu; the September 2002 case of Francis Malinga Egosot, a former Presidential Task Force secretary for Besigye, who filed harassment charges against the police following his arrest and short detention; or in the civil lawsuit filed against the Government for the wrongful detention and assault of Hajji Ramathan Muwonge in 2001.

Steven Mukama, Vincent Kasozi, and Henry Subi, who were reported missing in September 2002 and were later found in police custody, were awaiting resolution of the charges of terrorism, aggravated robbery, and illegal possession of arms at year's end.

Legal and human rights groups criticized the excessive length of detention prior to trial, which in many cases amounted to several years; such lengthy pretrial detentions both violated the constitutional rights of the detainees and contributed substantially to prison overcrowding (see Section 1.c.). Pretrial detainees comprised 60 percent of the prison population. The average time in pretrial detention was between 2 and 3 years. During the year, the UHRC heard several cases brought by

prisoners challenging the length of their detention.

During the year, there were reports that civilians were detained in military barracks and unregistered detention facilities. There were credible allegations that the CMI ordered detainees held incommunicado at police stations or in so-called safe houses.

During the year, there were reports of political detainees. The RA alleged that more than 280 of its members had been arrested in 2002 and during the year due to their political opinions. The Government maintained that the arrests were lawful and that some of the individuals would be prosecuted for treason.

The Constitution does not prohibit forced exile; however, the Government did not use exile as a means of political control. During the year, some UPDF officers and Besigye supporters left the country. For example, in February and March, UPDF Colonel Edson Muzoora, Lieutenant Kashilingi, Major Tom Mugizi, and Captain Mohammed Kiwanuka allegedly fled the country to join anti-Museveni groups in Rwanda. In July, Justus Ssemakadde Katambari, a member of Uganda Young Democrats, a political organization, and key agent for Besigye in the Buganda region during the 2001 presidential elections allegedly fled the country for Rwanda due to harassment by security operatives.

Former presidential candidate Besigye and a number of persons on his national task force remained in self-imposed exile during the year.

Some former rebels returned to the country during the year under the 2000 amnesty program.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary. While the judiciary generally was independent, the President had extensive legal powers of judicial appointment. The President appoints Supreme Court, High Court, and Court of Appeal judges with the approval of Parliament. The President also nominates, for the approval of Parliament, members of the Judicial Service Commission, who make recommendations on appointments to the High Court, the Court of Appeal, and the Supreme Court. The lower courts remained understaffed, weak, and inefficient, and.

The highest court was the Supreme Court, followed by the Court of Appeal, which also functioned as the Constitutional Court for cases of first instance, the High Court, the Chief Magistrate's Court, local council (LC) level three (sub-county) courts, LC level two (parish) courts, and LC level one (village) courts. A minimum of six justices could sit on the Supreme Court and the Court of Appeal.

There were unconfirmed reports of bribery and discrimination against women in some LC courts in rural areas, particularly in cases related to land ownership rights. The LC courts had the authority to settle civil disputes, including land ownership and debt cases, and criminal cases involving children. These courts, often the only ones available to villagers, reportedly exceeded their authority by hearing criminal cases, including murder and rape. LC court decisions could be appealed to magistrate's courts; however, there often were no records made at the village level, and some defendants were not aware of their right to appeal.

The civilian judicial system contained procedural safeguards, including bail and the right of appeal; however, an inadequate system of judicial administration and a lack of resources, resulting in a serious backlog of cases, circumscribed the right to a fair trial. The High Court made little progress in hearing and disposing of backlogged cases. Of the 87-case backlog remaining from 2002 and the 115 cases that arose during the year, the High Court had disposed of 112 by year's end. All nonmilitary trials were public.

Many defendants could not afford legal representation. The Constitution requires that the Government provide an attorney for indigent defendants accused of capital offenses, but there rarely was enough money to retain adequate counsel. The Uganda Law Society (ULS) operated legal aid clinics in four regional offices, although services remained limited due to funding constraints. The ULS also assisted defendants in military courts. The local chapter of Uganda Women Lawyers Association (FIDA-U) and the FHRI practiced public interest law from offices in Kampala. The Law Development Center operated a legal aid clinic to address cases involving children and those accused of petty crimes. A public defense service also operated; however, it lacked government funding and relied solely on donor support.

Specialized courts also existed. The Industrial Court (IC) arbitrated labor disputes. Commercial courts resolved commercial disputes, improved commercial justice, and reduced case backlogs.

The military court system often did not assure the right to a fair trial. Although the accused had the right to legal counsel, some military defense attorneys were untrained and could be assigned by the military command, which also appointed the prosecutor and the adjudicating officer. The law establishes a court-martial appeals process; however, a sentence passed by a military court, which could include the death penalty, could be appealed only to the senior leadership of the UPDF. Under circumstances deemed exigent, a field court martial could be convened at the scene of the crime; however, the law does not permit an appeal under this provision.

In January, Operation Wembley, under which security forces could arrest and try by court martial civilians found in possession of military property, was phased out and replaced by the VCCU, which also used military courts to try suspects. The VCCU arrested and detained at least 500 suspects on various counts including terrorism, aggravated robbery, murder, illegal possession of firearms and desertion.

According to Human Rights Watch, the Government continued to arrest and charge persons for treason, especially captured rebel fighters, including children, and opposition supporters (see Section 1.d.). During the year, numerous human rights abuses continued to be committed in connection with treason cases, including political detention, detention without charge, detention in unregistered and unofficial locations, and mistreatment, including torture. At year's end, prison officials reported that there were an estimated 160 persons detained on charges of treason. Detainees included members of the Islamic Tabliq group, some of whom were released and then rearrested (see Section 2.c.).

In 2000, President Museveni signed an amnesty law, which applies to all persons involved in insurgencies since the Movement came into power in 1986. During the year, some political detainees were released under the amnesty law, but exact figures were not available. The amnesty law was extended through April 2004.

There was at least one political prisoner. Bright Gabula Africa who was sentenced to death for treason, remained imprisoned pending the outcome of his appeal to the Advisory Committee on the Prerogative of Mercy, a largely autonomous constitutional body.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions, and the Government generally respected these prohibitions in practice; however, there were some exceptions. Although the law requires that police obtain search warrants before entering private homes or offices, at times police did not obtain warrants prior to searches.

The Anti-Terrorism Act authorizes certain law enforcement officials to intercept communication to detect and prevent terrorist activities.

There continued to be reports that prison officials routinely censored prisoners' mail.

The Government at times punished family members of suspected criminals and political opposition members. For example, on July 26, George Mugisha, father of RA activist Anne Mugisha, was arrested and temporarily detained for alleged links with a rebel group. He was released after 2 hours due to the lack of evidence, but he claimed the arrest was a form of mistreatment due to his daughter's political activities.

Some family members of perceived political opponents to the Government had difficulties at border crossings while leaving the country (see Section 2.d.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government at times restricted these rights in practice. In addition, the law criminalizes offenses committed by the media and limited the media's ability to function effectively. The Government at times intimidated journalists, and this may have resulted in the practice of self-censorship by journalists.

On occasion, persons were arrested and detained for criticizing the Government. For example, in March, the Criminal Investigation Division (CID) RA arrested, detained, and interrogated vice-chairperson Winnie Byanyima for statements she allegedly made in February concerning alleged government willingness to arm a Rwandan rebel group. She was released after questioning, although the Department of Public Prosecutions reportedly was deciding whether to file charges at year's end.

On August 22, the Uganda Law Council prohibited lawyers from participating in radio talk shows or making public statements on legal matters without permission from the council. The council directive provided for disciplinary action to be taken against any lawyer in breach of a 1977 council regulation on professional conduct. The ban remained in effect during the reporting period but was widely disregarded. Lawyers continued to make public statements and appeared on radio talk shows without penalty.

Public media were generally free and outspoken. There were many privately-owned publications and broadcasters. The New Vision, a government-owned daily newspaper with a circulation of 35,000, sometimes included reporting that was critical of the Government. The Monitor, the country's largest independent daily newspaper, consistently was critical of the Government. The East African, a Kenya-based weekly publication that provided extensive reporting on the country, continued to circulate without government hindrance.

The Government continued to operate Radio Uganda, the only national radio station, and one television station (UTV), whose

reporting was not considered to be independent. At year's end, there were at least 50 radio stations, mostly private, operating throughout the country; however, on August 31, the Government announced that it would stop registering FM radio stations to prevent too many stations from overburdening the airwaves and adversely affecting the quality of broadcasting; however, by year's end, the Government continued registering stations. Several independent media outlets in Kampala broadcast daily or weekly political talk shows, including live off-site radio public debates called "bimeeza," which were often very critical of the Government.

There were four local private television stations and more than a dozen private television stations available via satellite. The number of independent media broadcast sources increased during the year.

Police at times arrested, detained, interrogated, and otherwise harassed journalists during the year. For example, on January 6, police arrested Vincent Matovu, editor of the news pamphlet *Mazima*, and charged him with two counts of sedition for the publication of articles in October and November 2002 about LRA activity in Pader and Kapchorwa Districts. In February, Matovu was released on bail from Luzira Prison; at year's end, his trial, which began in November, was ongoing.

In March, radio talk show host Karim Zziwa was arrested and held overnight on charges of criminal trespass after he brought a recording device into the Movement National Conference.

On June 17, the Government banned radio stations in the northeastern town of Soroti from broadcasting any news about LRA rebel activity and accused radio station Kyoga Veritaas FM of inciting panic and promoting the LRA's cause after it broadcast interviews with persons who had been abducted and released by the LRA. On June 22, police in Soroti raided the offices of Kyoga Veritas FM and detained the station's staff for allegedly broadcasting "false news" stories about LRA rebel attacks in the area and messages from LRA leaders; the Government subsequently closed the station. On July 2, security operatives again raided the station and seized documents and computers. The Government allowed the radio station to reopen on August 31, but directed the station not to broadcast security-related information.

On October 23, police arrested three journalists for the newspaper *New Vision* and allegedly physically assaulted them while they attempted to report on a strike at a textile firm. The three were released the same day.

There were a few reports that citizens harassed journalists. For example, on February 23, followers of Imelda Namutebi, a pastor in the suburbs of Kampala, attacked, severely beat, and robbed Nicholas Kajoba, a journalist for the state-owned daily *New Vision* who was assigned to write a story about Namutebi. The newspaper had published letters criticizing Namutebi for marrying a man who was already married. By year's end, police had conducted no investigation into the incident.

On December 7, 15 persons reportedly belonging to the ruling party attacked and beat Hadija Nakitende, a reporter for CBS radio and vice-president of the Association of Ugandan Journalists, in Kampala. The attack occurred while Nakitende was covering a meeting of the youth wing of the opposition Democratic Party. By year's end, police had conducted no investigation into the incident.

Media laws require journalists to be licensed, to meet certain standards, such as possessing a university degree in journalism or the equivalent. The law also provides for a Media Council with the power to suspend newspapers and deny access to state information. The Media Council was staffed but not operational during the year.

The Government at times criticized journalists. For example, in late February, State House protested the *Monitor* newspaper's publication of unflattering pictures of President Museveni, and sharply criticized the newspaper for trying to "demean" the President.

In June, the Government prohibited *Monitor* reporter Frank Nyakairu from covering functions involving the Presidency; the prohibition, which remained in effect until year's end, was reportedly a result of his contribution to a story about an alleged UPDF helicopter crash in October 2002.

On November 10, the Attorney General banned the media from reporting the declarations of assets and liabilities made by the country's political leaders.

Unlike in the previous year, the Government did not order stations to stop interviewing "exiled political dissidents" accused of terrorism and subversive activity.

During the year, the Government cited national security as grounds to suppress media reporting of the Government's efforts to fight the LRA, particularly reports that the LRA had killed UPDF soldiers. By year's end, the Government continued its attempts to restrict conflict-related coverage, which reportedly resulted in the practice of self-censorship by journalists.

In March, UPDF spokesperson Major Shaban Bantariza warned media houses and journalists not to publish or broadcast military information that was restricted, confidential, or classified. He warned that media outlets who abetted soldiers in leaking information would be subject to punishment, including the possibility of court-martial.

The court case against two editors and a journalist for the *Monitor* on charges of publishing false information that threatened

national security after publishing a story about an alleged UPDF helicopter crash in October 2002 was ongoing at year's end.

By year's end, the Supreme Court had not ruled on the Monitor's appeal that challenged the legality of the law prohibiting the "publication of false news."

The Government did not limit access to the Internet and did not censor websites during the year.

The Government did not restrict academic freedom. Students and faculty sponsored wide-ranging political debates in open forums; however, there were reports that police blocked and forcibly dispersed some university political debates. For example, on October 9, anti-riot police at Makerere University used water cannons and tear gas to disrupt a public debate sponsored by the political pressure group Popular Resistance Against Life Presidency on the issue of eliminating the presidential term limit from the Constitution. Students responded to police action by throwing rocks, and the debate turned into a riot, which lasted several hours.

Political education and military science courses known as "Chaka Mchaka" continued during the year on a national level; however, the courses were not mandatory.

b. Freedom of Peaceful Assembly and Association

The law restricts freedom of assembly, particularly for political groups, by prohibiting any activities that interfere with the Movement system of governance; in practice, security forces often enforced these restrictions. For groups legally authorized to operate, permits were not required for public meetings; however, groups were required to notify the police prior to such gatherings. Police denied permission to hold public rallies to several opposition political groups during the year and on several occasions, disrupted or intervened and dispersed opposition meetings and other events.

During the year, there continued to be credible reports that security personnel, including UPDF soldiers, intimidated members of the opposition and disrupted numerous rallies and political events. For example, in January, riot police prevented a planned Democratic Party (DP) rally in Rakai District when they prevented DP president Paul Ssemogerere and other DP officials from addressing a crowd at a local football match. DP officials claimed that riot police used tear gas on DP supporters to stop the rally. Also in January, district officials prevented opposition politician James Garuga Musinguzi from holding political meetings in Kanungu District.

In May, police arrested several DP youth activists and representatives of the Norwegian Labour Youth during a workshop held in Bushenyi District. The DP members and their foreign guests were released after 6 hours of questioning.

In May, police blocked a Conservative Party political rally in Kampala and prevented the party's Secretary General Ken Lukyamuzi from addressing the crowd. There were no reports that the police or LDUs used force.

In July, security operatives blocked the convocation of a RA consultative meeting in Ntugamo District. RA officials claim that police used unwarranted force against some of the participants. RA spokespersons threatened to sue the Government if it blocked another such meeting, and asserted that the meetings were authorized under the POA.

On December 7, pro-Movement youth reportedly disrupted a meeting of the Democratic Party's youth wing, Uganda Young Democrats, in Kabale District. According to reports, a group of 10 Movement supporters beat participants of the meeting and said multiparty politicians were not welcome in Kabale District. About 70 UYD members, including MP Michael Mabikke, were injured. On December 10, Kabale Resident District Commissioner Lt. James Mwesigye denied that he had ordered the attack and condemned it. He reportedly ordered the police to arrest the culprits; however, by year's end, no arrests had been made.

During the year, several local government officials threatened to arrest opposition party members who held rallies; however, the officials made no arrests by year's end.

Police blocked nonpolitical demonstrations during the year. On May 14, riot police blocked more than 200 ethnic Banyoro demonstrators from Hoima District from entering Kampala to protest stalled road works in their home area.

There were reports that local government officials dispersed meetings of religious groups and sometimes denied groups the right to assemble for security reasons (see Section 2.c.).

The High Court scheduled a hearing for January 2004 in the case of a policeman who allegedly killed freelance journalist Jimmy Higenyi during a Ugandan Peoples Congress (UPC) political rally in January 2002.

No further action was taken against the members of the police who forcibly dispersed demonstrations in 2002 and 2001.

The Constitution provides for freedom of association; however, the Government restricted this right in practice, particularly for political parties and organizations. NGOs were required to register with the NGO Board, which included representation from the

Ministry of Internal Affairs as well as other ministries.

c. Freedom of Religion

The Constitution provides for freedom of religion; however, in practice, the Government imposed some restrictions.

The law requires religious groups and foreign missionaries to register with the Government; failure to register is a criminal offense. The Government continued to refuse registration to the World Last Message Warning Church due to continuing suspicions arising from the killings of more than 1,000 citizens in Kanungu in 2000. There were no reports that the Government refused to grant such registration to any other religious organization.

Several religious groups, which had been shut down by police as suspected "cults" in previous years, remained closed at year's end. In addition, bans against nighttime prayer meetings by evangelical churches, reportedly for security reasons were still in effect in residential areas of several districts.

On May 27, police in Sembabule District closed Prophetess Nabaasa Gwajwa's center of worship in Ntuusi village and evicted her followers for not registering. By year's end, 55 Gwajwa followers who police had arrested during a protest at district police headquarters remained in custody; the ban on the group's activities remained in effect.

There were some reports that security officials harassed and detained Muslims. On December 15, 17 of the 15 Tabliq Muslims who were acquitted of treason by the High Court and then rearrested in 2002 by the JATF on allegations that they had made contact with ADF rebels were released on bond.

Muslims occupied positions of authority in local and central government; however, some Muslim leaders claimed that the number of positions did not reflect their percentage of the population.

Unlike in previous years, there were no reports of societal violence against traditional African religious institutions.

The LRA was responsible for several attacks against religious institutions during the year. On April 25, LRA rebels abducted Father Gabriel Durigon, an Italian parish priest, during a raid on Gulu Cathedral. On June 6, LRA rebels abducted and later released Father Alex Ojera, a parish priest in Apac. On June 12, a statement attributed to LRA leader Joseph Kony ordered the LRA to "destroy all church missions and kill all priests in Northern Uganda"; Kony reportedly gave the order out of anger over the successful efforts of the Acholi Religious Leader's Peace Initiative (ARLPI) to entice some senior LRA commanders to leave the LRA and rejoin society. On June 17, the LRA killed a Catholic priest and one other civilian and injured several nuns during an attack on Oditel Camp in Katakwi District.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government at times limited them in practice. Some local officials reportedly demanded payment of fees for permission to change a place of residence. A married woman must obtain her husband's written permission on her passport application if children are traveling on her passport.

On July 28, security forces arrested Edith Byanyima, sister of RA vice-chairperson Winnie Byanyima and denied her passage into Rwanda. She was charged with destroying property at the immigration booth; however, she claims the Government harassed her due to her sister's political views. Security forces also denied passage to Anselm Besigye, the 3-year-old son of Byanyima, and former presidential candidate Besigye. The immigration authorities claimed that Anselm did not have proper travel documents. During the second week of August, Anselm Besigye was allowed to leave the country for Rwanda.

Opposition presidential candidate Besigye's 2001 petition to the UHRC Tribunal, which alleged wrongful restrictions on the movement of RA members, remained pending at year's end.

Under the 2000 Amnesty Act, government assistance was provided to former rebels to assist their return to the country. As a result of a December 2002 peace agreement, the Uganda National Rescue Front II (UNRF-II) was successfully demobilized as a rebel force. Several former rebels were integrated into the UPDF and UNRF II leader Major General Ali Bamuze was promoted. Several former rebels received reintegration packages to help them reenter civilian life. However, others in the group complained that the Government had not delivered assistance that had been promised.

A significant increase in attacks by the LRA and Karamojong warriors caused many ethnic Acholis and Iteso to leave their homes for urban centers, IDP camps, and villages guarded by the UPDF and LDUs. According to the U.N. Office of the Coordinator for Humanitarian Affairs, there were over 1.2 million IDPs as a result of this violence. At year's end, the number of IDPs per affected district were: Gulu, 416,254; Kitgum, 233,883; Pader, 229,115; Lira, 48,963; Katakwi, 159,533; Soroti, 92,321; Kumi, 19,006; and Kaberamaido, 35,039.

During the year, the LRA conducted several attacks on IDP camps in Katakwi District. In early July, LRA rebels attacked Oditel IDP camp in Katakwi and stole food, drugs, and other supplies meant for IDPs. On July 27, LRA rebels abducted 169 civilians and burned 580 grass-thatched huts during an attack on Achowa IDP camp. At the end of July, LRA rebels abducted an unspecified number of civilians while attacking an IDP camp in Obalanga Subcounty in Katakwi District.

In the north, security forces continued their policy of maintaining so-called protected villages with UPDF detachments nearby as a means of protecting civilians and denying support to the LRA. Despite substantial NGO and donor community assistance, conditions continued to worsen due to increased LRA activity. The Government failed to provide adequate security to the protected villages or IDP camps, which were the targets of large-scale rebel attacks (see Section 1.a.).

Approximately 25,000 persons were refugees in the DRC, Sudan, and Kenya during the year.

The law does not include provisions for the granting of refugee status or asylum to persons who meet the definition of the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. However, in practice, the Government provided protection against refoulement and granted refugee status or asylum. The Government did not always cooperate with the Office of the U.N. High Commissioner for Refugees (UNHCR) and with other humanitarian organizations in assisting refugees. There were serious disagreements between UNHCR representative Saidy Saihou and the Government over the modalities of the proposed relocation of Sudanese refugees from Masindi District to Yumbe District. As a result Mr. Saihou left the country 5 months before the end of his contract. The Government continued to provide temporary protection to certain persons who did not qualify as refugees or asylees and provide land for temporary resettlement to citizens from neighboring countries. This practice was extended to significant numbers of refugees during the year. More than 85 percent of the approximately 206,000 refugees in the country were from southern Sudan; there also were refugees from the DRC, Rwanda, and other countries.

During September, the Government utilized police and army forces to relocate forcibly approximately 16,000 Sudanese refugees from the Kiryandongo Refugee Camp in Masindi District to locations in the West Nile Region. There were reports that between six and nine persons were killed during a riot to protest the unpopular transfer; however, police claim that no persons were killed. The UNHCR protested the relocation and the Government's refusal to allow the UNHCR access to the camp. Several M.P.s claimed that the Sudanese refugees who were forcibly relocated would be forcibly recruited by the Sudanese Peoples Liberation Army (SPLA) to fight the LRA; however, the Minister for Disaster Preparedness and Refugees denied these claims, and there were no reports of such forcible recruitment by year's end.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government; however, Movement domination of the Government and some restrictive constitutional and statutory provisions limited citizens' effective exercise of this right. The law bans most political party activities, including the sponsoring of candidates for election, the issuing of platforms, and the staging of political rallies.

The Constitution provides for an autonomous, independently elected President and a 305-member unicameral Parliament whose members are elected to 5-year terms. The President dominated the Government, and Movement supporters remained in control of the Parliament. However, members of the Movement disagreed on several critical issues, including the question of whether the constitutional presidential term limit should be lifted. Supporters of President Museveni retained a majority in Parliament, but not necessarily in sufficient numbers to pass constitutional amendments.

In March 2001, six candidates competed in the presidential elections, including President Museveni and Kizza Besigye. President Museveni was reelected with 69.3 percent of the total votes cast; Besigye received 27.3 percent of the vote. The presidential election generally reflected the will of the population; however, there were many complaints of irregularities prior to and on election day, particularly regarding the voting process. There also were reports that soldiers intimidated voters. There were numerous reports of election-related violence and intimidation by both the Government and the opposition prior to and on election day.

In June 2001, elections were held for the 214 directly elected parliamentary seats. Observers stated that the elections generally reflected the will of the population; however, there were numerous instances of election-related intimidation and violence. The number of opposition M.P.s increased to 35 from 12, including 9 UPC M.P.s and at least 6 M.P.s from the DP. Others were affiliated loosely with the DP; however, the affiliation of several other M.P.'s was unclear. There were 230 M.P.s elected from the Movement party, giving it a clear majority; however, a number of moderate Movement M.P.s kept their seats in spite of President Museveni's active campaigning for their opponents.

In September 2002, the findings of a parliamentary committee investigating violence and irregularities in the 2001 presidential, parliamentary, and LC elections were made public and revealed that Movement supporters accounted for 29 percent of all cases of violence during the elections. The UPDF accounted for 17 percent and EC officials for 16.5 percent. The committee recommended that the Government desist from using the army and other security organs to advance partisan interests during elections, and that the army should register at civilian polling stations to avoid the appearance of malfeasance. It also recommended that acting Army Commander Major General James Kazini, Presidential Advisor on Political Affairs Major Kakooza Mutale, Brigadier Julius Oketa, and other security personnel be investigated further and prosecuted for alleged crimes related to election violence; however, by year's end, no action had been taken.

The Government maintained, at government expense, the Movement Secretariat, an organization that functioned as a government institution and whose membership was limited to those who supported the Movement. In September, the Parliament passed amendments to the Movement Act that extended the term in office for Movement officials and created Movement chairpersons and councils at the district and sub-county levels. Opponents criticized the bill as an attempt to strengthen the Movement before its transformation into a political party.

The Government prohibited non-Movement political gatherings, required employees in the President's office to register their political affiliation in writing, and dispersed numerous political meetings not sanctioned by the Movement (see Section 2.b.). The 2000 referendum on the role of political parties resulted in the indefinite extension of the Movement form of government and the indefinite continuation of restrictions on political parties. The 2002 Political Organizations Act (POA) regulates political parties' activities, including requiring parties to submit a list of names and addresses of at least 50 members from at least one third of all districts in the country. On March 22, the Supreme Court declared unconstitutional Sections 18 and 19 of the POA, which prohibited political parties from holding rallies, taking part in election campaigning, and holding offices outside Kampala. The implication of the court ruling was that political parties that registered under the POA would be allowed to mobilize at the district level. However, several political parties refused to register under the POA, and district officials, under instructions from the Attorney General, continued to disperse party activities at the district level during the year (see Section 2.b.).

Election candidates were required by law to prove that they met certain educational requirements. Several by-elections were held during the year to fill the seats of those disqualified in 2002 for submitting false certification of educational qualifications.

During the year, the EC organized three parliamentary by-elections in Bubulo East County, Busiki County, and Nakasongola. These elections were reported to have been free and fair. However, several district by-election processes were marred by violence. For example, in Mayuge District, a district official was charged with murder for killing his election opponent. A campaign rally turned violent in Mukono District and riot police were deployed to restore order. During the year, the EC also organized local elections on several occasions, which were peaceful and reportedly free and fair.

There were some developments in legal challenges to the 2001 parliamentary election results. On May 8, former RDC Ngoma Ngime, who belonged to the ruling party, lost his September 2002 High Court appeal challenging the election of opposition candidate Winnie Byanyima as M.P. for Mbarara Municipality.

A December 2002 Court of Appeal ruling invalidated the 2001 parliamentary election results for Kinkizi West County, in which Minister of Defense Amama Mbabazi of the ruling party defeated James Musinguzi of the opposition. In January, Musinguzi withdrew from a scheduled run-off election, citing an unfair playing field, and Mbabazi won the seat uncontested.

The Constitutional Review Commission's (CRC) recommendations on constitutional changes were delivered to the Cabinet in December but have not been made public; however, the Cabinet presented a list of its suggestions for constitutional change to the CRC in September that included the introduction of a multiparty system, increasing executive authority over the legislature, and the lifting of presidential term limits.

Corruption continued to be a major problem; however, the Government took positive steps to combat it during the year. For example, Parliament's Local Government Account Committee (LGAC) investigated local officials over financial irregularities raised in government audits. In July, the LGAC referred Owai Achiel, Gulu Chief Administrative Officer, to the police for prosecution over his failure to account for \$19,000 (39 million shillings) meant for construction of classrooms. The Committee recommended in October that the police investigate Emmanuel Opilla Lemasu, Principal Internal Auditor of Lira District, over corruption and incompetence. In November, the Committee asked CID to probe the loss of more than \$250,000 (500 million shillings) at Uganda Railways Corporation.

Legislation requires the declaration of wealth by government officials and their family members, and government officials made declarations of wealth in accordance with the law during the year. The Inspector General of Government's (IGG) regional offices increased from seven to nine, increasing the IGG's visibility and capacity to investigate corruption complaints. In March, the Ministry of Ethics and Integrity set up a hotline for policemen to call to report corruption cases.

The Constitution requires elections through electoral colleges for the 81 seats reserved for special interest group in Parliament. These seats are reserved for women (56), organized labor (5), persons with disabilities (5), youth (5), and the army (10). The UPDF High Command, chaired by President Museveni, selected the 10 army representatives.

The Government used quotas in an aggressive effort to place women in positions of authority. Women won 12 non-reserved seats for the 295-member Parliament in the 2001 election. In total, there were 72 female M.P.s in the seventh Parliament. The woman Vice-President resigned during the year and was replaced by a man, but there were 4 women ministers and 12 women junior ministers in the President's 66-member Cabinet. One woman served as Deputy Chief Justice of the Supreme Court, and another woman headed the police force's CID.

The Government also took action against several high-ranking military officers suspected of maintaining under-strength units and pocketing salary payments for so-called "ghost soldiers." Many of the officials, including a former army commander, faced courts-martial that were ongoing at year's end.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were responsive to their views; however, President Museveni issued a statement in August calling on civil society organizations to avoid involvement in partisan politics.

Active domestic groups included the FHRI; FIDA-U; Human Rights Focus; the National Association of Women's Organizations of Uganda (NAWOU); the International Federation of Human Rights; and the Human Rights and Peace Center of Makerere University. Government officials frequently attended conferences and seminars hosted by NGOs on social problems and continued to cooperate with NGOs on legal and prison reforms.

On March 13, the Government called for a code of conduct for NGOs to minimize the misuse of funds and prevent actions that undermine the credibility of the NGOs. The code had not been enforced by year's end.

The Government allowed visits by the ICRC, the UNHCR, and international human rights NGOs, including Amnesty International (AI). The ICRC continued its suspension of all field activities in the country because of the killings of six ICRC workers in 2001, and it continued to criticize the results of a government investigation into the killings (see Section 1.a.). The ICRC maintained only local staff at branches in Kasese, Bundibugyo, Fort Portal, Gulu, and Kitgum during the year. The ICRC also suspended visits to military detention facilities.

During the year, the U.N. released a report that accused various foreign armies in the DRC, including the UPDF and the armed groups it has reportedly continued to support, of exploiting the DRC's minerals and other resources, and perpetrating violence and human rights abuses to facilitate that exploitation.

The Constitution establishes the UHRC as a permanent independent body with quasi-judicial powers. The President appointed the UHRC's eight-member board. Under the Constitution, the UHRC may subpoena information and order the release of detainees and the payment of compensation for abuses. In several cases during the year, the UHRC Tribunal awarded compensation to complainants who had proven their allegations against government organs (see Section 1.c.). The UHRC continued to pursue suspected human rights abusers, including high-level officials in the Government and military, and had branches countrywide, including in Mbarara, Fort Portal, and Jinja. The UHRC Tribunal headquarters received 1,029 new cases during the year, including some against senior government leaders and military and police officials; the Soroti office received 582 complaints, the Gulu office received 108, and the Mbarara office received 281. In September, the Government submitted a package of proposed constitutional changes, including a proposal to abolish the UHRC. Local and international human rights groups objected to the proposed abolition of the UHRC; there was no action by year's end.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution prohibits discrimination based on these factors; however, the Government did not enforce the law effectively in matters of locally or culturally accepted discrimination against women, children, persons with disabilities, or certain ethnic groups. The continued instability in the north led to violations of the rights of some Acholi, an ethnic group that comprises a significant part of the population. Most violations of Acholi rights resulted from LRA actions.

Women

Domestic violence against women, including rape, remained common. A Johns Hopkins University study released in January indicated that one in three women living in rural areas experienced verbal or physical threats from their partners, and 55 percent received physical injury as a result of domestic abuse. The law prohibits general assault; however, there were no laws that specifically protected women from battery or spousal rape. Law enforcement officials, reflecting general public opinion, continued to view wife beating as a husband's prerogative and rarely intervened in cases of domestic violence. Women remained more likely to sue for divorce than to file assault charges against their husbands.

The law requires that bride-prices be nonrefundable gifts to the parents of the bride. In March, women representatives from civil society organizations asked the CRC to abolish the bride-price; however, it had not been abolished by year's end.

In August, Human Rights Watch (HRW) issued a report investigating the correlation between domestic violence and women's vulnerability to HIV/AIDS infection in the country. The report concluded that married women were particularly vulnerable to HIV/AIDS infection as a result of forced sex in marriage by husbands with multiple partners or wives. HRW's report identified numerous social and legal obstacles to women's ability to protect themselves against HIV/AIDS infection in abusive relationships.

Thousands of women and girls were victims of abduction and rape by rebel forces. There were also reports that women were raped by the UPDF (see Section 1.c.).

FGM was practiced by the Sabiny ethnic group, located in the rural Kapchorwa District, and the Pokot ethnic group (also known as the Upe), which inhabited the northeastern border with Kenya. There were approximately 10,000 Sabiny and approximately 20,000 Pokot in the country. Among the Sabiny, initiation ceremonies involving FGM were carried out every 2 years. Because the ceremony took place in 2002, there were no recorded cases of FGM among the Sabiny during the year. However, FGM cases were recorded in the Karamoja region. In September, an official in Moroto District confirmed more than 30 cases of FGM in his sub-county.

There was no law against FGM, but the Government and women's groups working with the U.N. Population Fund continued to carry out programs to combat the practice through education. These programs received strong government support and some support from local leaders. The programs emphasized close cooperation with traditional authority figures and peer counseling. Significant press attention to these ongoing efforts brought public attention to the problem during the year.

Prostitution was illegal; however, it was common. There were no credible statistics available on the occurrence of prostitution during the year.

There were reports of trafficking in women during the year (see Section 6.f.).

Sexual harassment also was common. For example, in March, the Association of Uganda Women Medical Doctors protested at their annual conference against male doctors who threaten to withhold promotion from female doctors and nurses who did not yield to sexual advances.

Traditional and widespread societal discrimination against women continued, especially in rural areas. Many customary laws discriminate against women in the areas of adoption, marriage, divorce, and inheritance. In many areas, women could not own or inherit property, or retain custody of their children under local customary law. Divorce law requires women to meet stricter evidentiary standards than men to prove adultery. Polygyny was legal under both customary and Islamic law, and a wife had no legal ability to prevent her husband from marrying another woman. In some ethnic groups, men also could "inherit" the widows of their deceased brothers. Women did most of the agricultural work but owned only 7 percent of the agricultural land. There were limits on a married woman's ability to travel abroad with her children (see Section 2.d.).

Numerous women's rights NGOs sponsored conferences, empowerment sessions, and training programs on women's rights throughout the country. There were active women's rights groups, including FIDA, Action for Development, the National Association of Women Judges (NAWJ), Akina Mama Wa Afrika, the Forum for Women in Democracy, and NAWOU, which promoted greater awareness of the rights of women and children. Women as Partners for Peace sponsored a forum to discuss democracy and conflict resolution. FIDA continued with its program on proposed reforms of outdated and discriminatory laws.

Children

The Government demonstrated a commitment to improving children's welfare. Education received the largest percentage of the national budget. During the year, the Government did not enforce effectively the Children's Statute, which outlines broad protections for children. Government efforts to enforce the statute's provisions were hampered by the large proportion of children in the population (50 percent of the country's population was under 15), staffing and fiscal constraints on the judiciary, and cultural norms. The law stipulates parents' responsibilities and provides extensive protection for children in a wide variety of areas, including financial support, foster care placement, adoption, determination of parentage, and treatment of children charged with offenses. The law also prohibits children from taking part in any activity that was likely to injure the child's health, education, mental, physical, or moral development; however, the Government often did not enforce these prohibitions.

The Government continued the Universal Primary Education (UPE) program, which provided free education through the seventh grade; however, education was not compulsory. According to UNICEF, the country's primary school enrollment rate was 87 percent for both boys and girls.

Key components of the UPE program included eliminating compulsory uniform requirements, providing free textbooks, and eliminating school and Private Learning Examination (PLE) fees. UPE increased funding for education, provided additional skills training for teachers, and reduced the textbook to student ratio; however, some provisions had not been implemented fully by year's end. Strained finances, corruption, instability in some areas, infrastructure problems, and inadequate teacher training prevented full implementation. The UPE program made education more accessible financially; however, parents still had to pay for school supplies and some school costs.

Girls and boys theoretically had equal access to education in the lower grades; however, the proportion of girls in higher school grades remained low because families traditionally favored boys when making educational decisions. Boys also were more likely to finish primary school and perform better on the PLE. The Government continued several programs to promote a national plan for the education of girls. However, according to UNICEF, only 57 percent of adult women were literate compared with 78 percent of adult men.

Child abuse remained a serious problem, particularly rape and other sexual abuse of young girls, offenses known as "defilement". Defilement applied to all cases of sexual contact outside of marriage involving girls younger than 18 years of age,

regardless of consent or the age of the perpetrator. The perpetrators of rape often were family members, neighbors, or teachers. In the first 3 months of the year, there were 3,337 reported cases of defilement. At year's end, 1,684 defilement suspects were found guilty of the crime, with 1,653 still awaiting trial. Defilement carried a maximum sentence of death; however, no court sentenced rapists to death during the year. In practice, defilement cases were often settled by a payment to the girl's parents.

There was an increase in the number of teachers and headmasters arrested for defilement. For example, in March, the headmaster of Town View Secondary School in Kapchorwa was arrested and charged with two counts of defilement. Also in March, Sembabule police arrested two headteachers on charges of defiling schoolgirls. In July, the headmaster of Home Affairs Secondary School in Kapchorwa was arrested for defiling students.

Corporal punishment is banned; however, many schools used it. For example, primary school teacher Carolyn Bako allegedly caned a 13-year-old student who fell into a coma during the beating. There were no reports of legal action against the accused teacher. In July, the Education Standards Agency threatened to deregister any teacher or headmaster administering corporal punishment. In August, five government primary school teachers in Kampala were investigated by the City Education Officer over allegations of caning.

There were several allegations and some confirmed reports of ritual killings of children during the year. For example, in January, a man in Lyatonde, identified only as Mugisha, allegedly beheaded a 10-year-old girl and drank her blood. He was later beaten to death by an angry mob. In February, five suspects were arrested in Kapchorwa for allegedly killing and mutilating the body of a child as part of a ritual sacrifice. At year's end, there were no developments in the cases against the suspects. In May, a Luwero man was arrested for allegedly killing his 4-year-old daughter and drinking her blood on the advice of a witchdoctor in a ritual to acquire wealth. By year's end, there were no developments in his case.

There were no developments in the June 2002 ritual killing of a girl in Luwero, the September 2002 case of a Mukono man arrested for allegedly trying to sell his 6-year-old son to a traditional healer, or in the 2001 cases of ritual killings.

The marriage of young girls by parental arrangements was common, particularly in rural areas.

FGM was performed on girls in the Sabiny and Pokot tribes (see Section 5, Women).

Child prostitution and trafficking was a problem (see Section 6.f.).

The legal recruitment age for military service was 18 years; however, in practice some recruiters allowed 17-year-olds to enlist. The LDUs were allowed to recruit children under the age of 18 with parental consent. There were reports that the military detained and used former LRA child soldiers on reconnaissance and intelligence missions.

A November U.N. Report on Children and Armed Conflict reported that the Government continued to recruit children into the UPDF, including children who had previously served as combatants for the LRA. UNICEF estimated that there were 300-400 underage soldiers in Uganda's 60,000 person army. Other children were reported to have been recruited into LDUs. The UPDF denied that it had actively recruited child soldiers, but said some might have been allowed to join through deception or oversight. Other reports, however, accused the UPDF of detaining ex-LRA child combatants for unacceptably long periods and in some cases using them on intelligence and reconnaissance missions. In June, the UNICEF screened UPDF recruits at the Lugore military training camp in Gulu District and demobilized children found to be underage.

There were an estimated 2 million children who had lost one or both parents. This large number of orphans resulted from wars and other instability, population dislocation, and HIV/AIDS.

Child labor was a problem (see Section 6.d.).

The LRA continued to abduct thousands of children and, at clandestine bases, forced them into virtual slavery as laborers, soldiers, guards, and sex slaves (see Section 1.b.). In addition to being beaten, raped, and forced to march until exhausted, abducted children were forced to participate in the killing of other children who attempted to escape. More than 85 percent of LRA forces were made up of children whom the LRA abducted and forced to fight as rebels; most LRA rebels were between the ages of 11 and 16.

Thousands of children in the north sought refuge in Gulu and other urban centers to avoid abduction by the LRA. Some children slept in churches and hospitals, while others slept under balconies or on the street if necessary. By year's end, several NGOs had begun providing more organized shelter for these night commuters. However, even at the shelters, conditions were harsh.

Persons with Disabilities

The Constitution provides persons with disabilities with "a right to respect and human dignity"; however, widespread discrimination by society and employers limited job and educational opportunities for such persons. There was no statutory requirement for the accessibility of buildings for persons with disabilities. Most buildings had one floor; however, taller buildings

in larger cities rarely had elevators and those that operated seldom were reliable. There was a Minister of State for Disabled Persons, and five seats in Parliament were reserved for representatives of persons with disabilities. There was also a Department for Disabled Persons within the Ministry of Gender, Labor, and Social Development; however, this institution lacked sufficient funding to undertake or support any initiatives.

The Children's Statute also requires children with disabilities to be treated and given necessary special facilities; however, in practice inadequate funding hampered its enforcement.

National/Racial/Ethnic Minorities

Civil strife in the north led to the violation of the rights of members of the Acholi ethnic group, who primarily resided in the districts of Gulu, Kitgum, and Pader. Both government forces and the LRA terrorists, who themselves largely were Acholi, committed abuses. The LRA in particular was implicated in the killing and kidnapping of Acholi tribe members (see Section 1.a.). There continued to be allegations that the UPDF targeted Acholi during combat operations against the LRA.

During the year, raids by armed Karamojong warriors in Katakwi, Kotido, and Kapchorwa Districts in the Northeast resulted in more than 1,800 deaths. The raids reportedly exacerbated ethnic tensions in the northeast (see Section 1.a.). The Government's mandatory disarmament program for Karamoja, which has caused confrontations between the UPDF and the Karamojong, continued. However, negotiations began for a Karamojong-led solution involving UPDF officers and politicians from the Karamoja region. Under a new security initiative for Karamoja, the UPDF and police concentrated on improving security conditions by arresting cattle rustlers and preventing cross-border incursions.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right of every person to join workers' associations or trade unions; however, the Government at times did not respect this right in practice. Employers often did not observe the requirement to recognize a union. After a long process, the Government granted registration to the Uganda Allied Teachers' Union during the year. The right to form unions extended to civil servants; however, many "essential" government employees were not permitted to form unions, including police, army, permanent secretaries in the ministries, heads of departments and state-owned enterprises, school principals, and other management-level officials. The Government failed to enforce the rights of some employees to join unions in newly privatized industries and factories.

The law allows unionization if 51 percent or more of the work force supported it, and if the proposed union represented at least 1,000 employees. These requirements effectively prevented workers in important parts of the private sector from forming unions, especially in the textile, hotel, and construction sectors. Both the International Labor Organization (ILO)'s Committee of Experts (COE) and Committee on Freedom of Association (CFA) requested that this dual requirement be amended.

The National Organization of Trade Unions (NOTU), the largest labor federation, included 19 unions with a membership of 145,000, out of an estimated 2 million persons working in the formal sector. NOTU was independent of the Government and political parties and included medical workers and the civil service union. NOTU's influence on the overall economy remained minimal, since approximately 90 percent of the labor force worked as peasant farmers. Even in areas in which cash crops were significant, unionization remained practically nonexistent. NOTU's influence may be further diminished due to controversy over the election of NOTU's second ranking officer, the chairman general, in October. The losing candidate and his supporters complained that the polling was unfair and announced the formation of a rival union federation, the Central Organization of Free Trade Unions (COFTU). At year's end, 5 of NOTU's 19 unions defected to COFTU; however, COFTU's legal status had not yet been recognized by the Ministry of Gender, Labor, and Social Development.

On April 10, the Ministry of Gender, Labor, and Social Development lifted the 2001 ban on meetings and elections within the labor movement.

The law does not prohibit anti-union discrimination by employers, and union activists were not protected sufficiently from retribution for union activities; however, there were no reported incidents of government harassment of union officials during the year. There were allegations that local government officials urged workers at a prominent textile firm not to take part in unionization efforts.

Labor unions freely exercised the right to affiliate with and participate in regional and international labor organizations. NOTU was a member of the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively; however, the right to organize was rarely defended by the Government, and true collective bargaining occurred only in the small private sector of the modern economy. In 1999, the International Textile, Garment, and Leather Workers Federation (ITGLWF) formally complained to the ILO about the denial of

the right to organize, which affected members in all but 1 of 16 factories. The case was pending at year's end.

There were examples of collective bargaining in the private sector during the year. For example, in March, members of the staff union at Uganda Clays received an 80 percent increase in wages and allowances following the signing of an agreement on benefits between the union and company management. With technical assistance from an ILO project, workers in the hotel management, transport, and security sectors signed collective-bargaining agreements with their employers to clarify terms and conditions of employment. The Government adopted a cooperative tripartite approach involving the Government, employers, and labor to setting wages and resolving labor disputes. Both the Government and employers could refer disputes to the Industrial Court (IC); however, the IC lacked funds and rarely convened.

The Constitution provides the right to strike; however, the Government seldom defended this right and government policy required labor and management to make "every effort" to reconcile labor disputes before resorting to strike action. This directive presented unions with a complicated set of restrictions. If reconciliation did not appear to be possible, labor had to submit its grievances and give notification of the strike to the Minister of Labor, who usually delegated the dispute to the IC. In principle, IC rulings were final, but in practice, they could be appealed to the High Court, an option often taken by employers. The Minister of Gender, Labor, and Social Development generally did not permit strikes in the absence of a determination from the IC that "every effort" had not been exhausted. The Government only took limited action on organized labor complaints; however, frustrated laborers often went on strike anyway.

There were several strikes during the year. For example, in January, workers at the Uganda Electricity Generation Company went on a 3-day strike after the Uganda Electricity Board (UEB) promised to guarantee employee terminal benefits. Employees went back to work after the chairman of the union received confirmation of benefits from UEB. In August, police arrested 6 workers at the Toro Kahuna Tea Estates on charges of destruction of property during a strike protesting low pay; management fired 65 workers 2 weeks after the strike.

On October 21, the workforce at Tri-Star Apparels, a leading textile firm, went on strike alleging poor working conditions, management threats to fire union organizers, and the purported physical beating of a female employee by her supervisor. High level negotiations involving representatives of workers, management, and the Government failed to end the dispute. The work stoppage ended when management fired 265 workers and brought in replacements. The dismissed workers then camped out in front of Parliament to protest management's action, which they claimed violated employment legislation. On October 30, the Cabinet directed Tri-Star management to pay the fired workers approximately \$30,000 (60 million Uganda shillings) in severance settlements; it was not known whether management paid the workers by year's end.

There are no export processing zones (EPZs).

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children; however, there were reports such practices occurred (see Sections 6.d. and 6.f.). A lack of resources prevented the Government from enforcing this prohibition effectively in practice. There was strong evidence that prison officials hired out prisoners to work on private farms and construction sites, where they often were overworked. Throughout the country, prison officials routinely supplemented their meager wages with cash crops grown by prisoners on the prison grounds (see Section 1.c.). Male prisoners performed arduous physical labor while female prisoners produced marketable handicrafts such as woven basketry. Juvenile prisoners performed manual labor, often for 12 hours per day. Compensation, when paid, generally was very low; skilled prisoners earned approximately \$0.25 (500 shillings) per day, and unskilled prisoners earned approximately \$0.05 (100 shillings). However, the law requires that pretrial detainees receive back pay for all work that they performed once they are released.

d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits employers from hiring workers below the age of 18; however, child labor was common, especially in the informal sector. Demographics contributed to the problem of child labor; half of the population was under 15 years of age. Many children left school and went into agricultural or domestic work to help meet expenses or perform the work of absent or infirm parents, a situation common throughout the country (see Section 5). The problem was acute, particularly among the large orphan population.

In urban areas, children sold small items on the streets, were involved in the commercial sex industry, or begged for money (see Section 6.f.). Adults did most tea harvesting; however, some children were employed in this sector as well.

Smuggling was one of the larger informal industries and employed large numbers of child laborers at the borders with Kenya and Tanzania. Children walked back and forth across the unguarded borders, transporting small amounts of fuel, sugar, coffee, or other commodities.

The Government incorporated the provisions of ILO Convention 182 on the Worst Forms of Child Labor into the draft Employment Bill 2000; however, the law had not been passed by year's end. In February, the ILO registered the Government's ratification of Convention 138 on the Minimum Age for Admission to Employment. The draft Employment Bill, which contained provisions to fulfill Convention 138's requirements, had not been passed by year's end.

The law prohibits forced and bonded labor by children; however, a lack of resources prevented the Government from enforcing this prohibition effectively. There were reports the UPDF used ex-LRA child soldiers on reconnaissance and intelligence missions (see Section 5).

The LRA often forced abducted children into virtual slavery as guards, laborers, soldiers, and sex slaves (see Section 1.b.).

The Ministry of Gender, Labor, and Social Development enforced the law on child labor; however, financial constraints limited the ministry's efforts. The Government made efforts to decrease the incidence of child labor during the year. The Government coordinated its efforts to stop child labor through the National Steering Committee on Child Labor, which brought together representatives of the Ministry of Gender, Labor, and Social Development; the Ministry of Education and Sports; the Ministry of Local Government; the Federation of Uganda Employers; the National Organization of Trade Unions; NGOs; journalists; and academicians. The Government organized a number of child labor awareness workshops, disseminated printed information, and sponsored radio and television discussions to educate the public on child labor issues. Several human rights NGOs also continued programs during the year aimed at removing children from hazardous work.

The Government also cooperated with the ILO and foreign governments in several initiatives to combat child labor, including an ongoing 4-year International Program for the Elimination of Child Labor (IPEC) to withdraw 2,600 children from hazardous labor and a 4-year Education Initiative to reduce child labor in the north.

e. Acceptable Conditions of Work

The minimum legal wage was \$3.00 (6,000 shillings) per month, a rate set in 1984; however, this wage was not enforced effectively in practice. The Government and the private sector negotiated a new rate during the year; however, no minimum wage legislation had been passed by year's end. The minimum wage was insufficient to provide a decent standard of living for a worker and family.

Wages continued to be determined through negotiation between individuals and their employers, unions, and proprietors, or through negotiation within the boards of directors at state-owned industries. Other benefits, such as housing and transport allowances, which often were equal to base wages, supplemented salaries. The Ministry of Public Service's salary scale for civil servants started support staff at approximately \$38 (76,000 shillings) per month, up to supervisors at \$666 (1,332,000 shillings) per month, plus modest increases for years worked. All included provisions for paid overtime. The higher end of this wage scale provided minimal standards of living for a worker and family; however, most civil servants had great difficulty earning enough money to pay their children's school costs. Many civil servants and their dependents worked second jobs, grew their own food, or sought other ways to supplement their incomes.

In industries that employed workers on an hourly basis, the normal work week was 40 hours. There was no legal maximum workweek; however, employers were supposed to pay a time-and-a-half rate for each additional hour worked beyond a 48-hour work week. Many industries paid workers incrementally to avoid overtime and circumvent the prohibition on child labor. Many companies employed workers as "casual laborers" or "contract workers" to avoid providing benefits.

The condition of employee housing on the tea and sugar plantations at the major state-owned corporations, and within military and police barracks, was substandard. Sanitation and water facilities often were inadequate.

Building codes often were not enforced. Some structures tripled in height above the original foundations, which often compromised the structural integrity of these workplaces. Machinery in factories often lacked safeguards.

The law establishes some occupational health and safety standards. The Workers' Compensation Act provides compensation, based on monthly salaries, for workers injured or killed at work. The Ministry of Gender, Labor, and Social Development's Department of Occupational Health was responsible for enforcement of occupational safety regulations; however, in practice inspections were rare, primarily due to the lack of vehicles and funding for inspection trips. There were fatal accidents at several construction projects at a rate of approximately one per month. The limited occupational safety regulations under the law did not protect workers who refused to perform dangerous work from being fired; however, strong unions in certain dangerous industries protected such workers.

Foreign workers are protected under the Occupational Health and Safety Law. The law does not exclude illegal workers; however, any illegal worker that filed a claim had to prove they were working legally or face penalties.

f. Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked to, from, or within the country. The Criminal Code prohibits slavery with penalties of up to 10 years' imprisonment and requires the CID to combat trafficking. The CID did not keep records on the magnitude of the trafficking problem and it was unknown if its efforts were effective. There were no reports of trafficking-related arrests or convictions during the year.

In addition to trafficking related to LRA abductions, the Government acknowledged that internal trafficking of children for labor

and commercial sexual exploitation was a growing problem. In urban areas, some children were involved in the commercial sex industry, particularly in border towns and in Kampala.

There continued to be unconfirmed reports that the SPLA forcibly recruited Sudanese refugees in the north for service in their forces (see Section 2.d.).

The LRA abducted civilians for training as guerrillas; most victims were children and young adults whom the LRA forced into virtual slavery as guards, laborers, soldiers, and sex slaves (see Section 1.b.).

The Government, through the military, continued efforts to combat LRA trafficking in persons despite severe resource constraints. The Government began Operation Iron Fist in 2002 to eradicate the LRA threat. It continued to offer amnesty to ex-rebels, providing resettlement packages with educational benefits and vocational training. The Government also established protected camps garrisoned by the UPDF that have helped to prevent abductions (see Sections 1.b. and 2.d.).